

IDAHO BOARD OF DRINKING WATER & WASTEWATER PROFESSIONALS
Division of Occupational and Professional Licenses
P.O. Box 83720
Boise, ID 83720-0063

Board Meeting Minutes of 5/5/2021

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BOARD MEMBERS PRESENT: Michael W Shepherd - Chair
Stacy Stuart
Paul D Sifford
Bryson Ellsworth
Michael S Parker
Jerri Henry

BOARD MEMBERS ABSENT: David S Shurtleff

DIVISION STAFF: Julie Eavenson, Licensing Group Manager
Lori Peel, Investigative Unit Manager
Nicholas Krema, General Counsel
Dicsie Gullick, Team Lead
Kim Aksamit, Board Specialist
Brogan Moore, Team Member
Jasmine Burgos, Team Member

OTHERS PRESENT: Shelley Roberts, Idaho Rural Water Association
Therese Borgerding, IRWA
Leslie Wilder, Bat & Supply

The meeting was called to order at 9:01 AM MDT by Michael W Shepherd.

INTRODUCTIONS

All the Board members introduced themselves. The Division staff present did the same. Ms. Eavenson talked about the team concept and introduced the team that was assigned to assist the Board. She said that Dicsie or Kim would be sending out a list with the contact information for those on the team.

APPROVAL OF MINUTES

Mr. Sifford made a motion to approve the minutes of February 5, 2021 and February 25, 2021 with correction. It was seconded by Mr. Parker. Motion carried.

LAWS AND RULES

Mr. Crema presented a legislative update. He stated that stating that all three pieces of legislation relating to the Division had passed both the House and the Senate. At this time it is not known when the Legislature will sine die or if there will be an omnibus bill.

Mr. Crema also spoke to the Board regarding applicants and licensees contacting Board members directly. He recommended that they direct all applicants and licensees to Division staff for help.

DIVISION UPDATES

Ms. Eavenson discussed in-person meetings. Virtual meetings will continue until the Division moves to our new space at the Chinden campus. This will probably be sometime during 2022. The Division can now have 4 staff and up to 5 members of the public attend meetings in person.

Ms. Eavenson also told the Board that travel is still restricted for both staff and Board members.

FINANCIAL REPORT

Ms. Eavenson gave the financial report, which indicated that the Board had a cash balance of \$273,221.16 as of March 31, 2021.

The Board asked that a detailed financial report be given at the next Board meeting, specifically, what the exact amount was of the expenditure for the Division's move. Ms. Henry asked that the report include how the approved CEC will affect the budget.

DIVISION BUSINESS

The Board reviewed the To Do List and no action was taken.

SUBCOMMITTEE REPORT

Ms. Henry gave the subcommittee report. The subcommittee has recently met and continue to work on how to best to manage responsible charge time. The subcommittee would like to try changing the forms instead of relying on a rule change.

Mr. Parker mentioned rearranging the rule regarding experience to make things clearer. He also mentioned removing the term responsible charge "operator" from the application form. The subcommittee volunteered to review and edit the application form for clarity.

NEXT MEETING

Mr. Parker made a motion to accept the scheduled Board meeting on August 4, 2021 at 9:00 AM MDT. It was seconded by Mr. Sifford. Motion carried.

BOARD BUSINESS

PUBLIC COMMENT

Ms. Wilder stated that her business had to do with the letter that would be reviewed later in the agenda. Ms. Wilder left the meeting.

WATER/WASTEWATER APPRENTICESHIP PROGRAM

Ms. Borgerding gave an update on the Idaho Rural Water Association (IRWA) apprenticeship updates. IRWA has a new technical trainer that has been praised by all participants. The trainees also appreciate the virtual classes, and there is a lot of engagement over zoom. There is a grant from Idaho Workforce Development that has paid for manuals and enrollment fees. IRWA has also instituted a one-year apprenticeship program for a Class 1 license.

DISCUSSION REGARDING APPLICATION FORM AND PROCESS

Ms. Aksamit discussed the application process, specifically, that the Division staff is pulling records from old applications and looking up the system classification. The system classification should be added to the application so that staff does not need to look up the information, but have the applicant provide that application. The Board agreed to add the system classification to the application and will add it to the subcommittee's to do list.

Ms. Eavenson also let the Board know that Ms. Aksamit is working on streamlining the upgrade process and will be coordinating with the subcommittee to keep from duplicating work.

DISCUSSION REGARDING COURTESY CLASSIFICATIONS

The Board discussed how DEQ had been processing courtesy classifications, specifically how a Tribal authority could receive courtesy classifications for their systems so that the operators can become licensed. Ms. Henri volunteered to reach out to Tribal authorities and the Environmental Protection Agency (EPA) to help facilitate classifications.

DISCUSSION REGARDING BACKFLOW ASSEMBLY TESTER EXTENSION

The Board discussed the extension that has been granted for continuing education for the Backflow Assembly Testers. Mr. Stuart made a motion to end the extension as of May 5, 2021 and have the website updated. It was seconded by Mr. Parker. Motion carried.

WATER QUALITY BOARD MEMBER

Mr. Parker made a motion to nominate Mr. Ellsworth to represent the Drinking Water and Wastewater Professionals Board on the Water Quality Board member. It was seconded by Mr. Sifford. Motion carried.

CONFERENCE UPDATES AND ATTENDANCE

Kim and Dicsie will be going to the Idaho Rural Water Association Conference to give the one-hour presentation to operators.

CORRESPONDENCE

The Board reviewed correspondence from Ms. Wilder regarding direction given to northern water systems. The Board directed the Division to forward the letter to the Department of Environmental Quality (DEQ) with a request to copy the response to the Board.

COMPLAINT MEMORANDUM

Ms. Peel gave the investigative report, which is linked above.

FOR BOARD DETERMINATION

Ms. Henry made a motion to approve the Division's recommendation and authorize closure in case numbers I-WWP-2020-4, I-WWP-2020-5, I-WWP-2020-6 and I-WWP-2020-7. It was seconded by Mr. Sifford. Motion carried.

EXECUTIVE SESSION

Mr. Sifford made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law, Idaho Code § 74-106(9). The purpose of the executive session was to discuss documents relating to the fitness of a licensee to retain a license or registration. It was seconded by Mr. Parker. The vote was: Mr. Stuart, aye; Mr. Sifford, aye; Mr. Ellsworth, aye; Mr. Parker, aye; Ms. Henry, aye; and Mr. Shepherd, aye. Motion carried.

Mr. Sifford made a motion to come out of executive session. It was seconded by Mr. Parker. Motion carried.

EXECUTIVE SESSION

Mr. Stuart made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law, Idaho Code § 74-106(9). The purpose of the executive session was to consider documents relating to the fitness of an applicant to be granted a license or registration. It was seconded by Mr. Sifford. The vote was: Mr. Stuart, aye; Mr. Sifford, aye; Mr. Ellsworth, aye; Mr. Parker, aye; Ms. Henry, aye; and Mr. Shepherd, aye. Motion carried.

Mr. Parker made a motion to come out of executive session. It was seconded by Mr. Sifford. Motion carried.

APPLICATIONS

Mr. Parker made a motion to table the following pending receipt of additional information and will work with Division staff to draft letter:

901130891

It was seconded by Mr. Sifford. Motion carried.

ADJOURNMENT

Mr. Parker made a motion to adjourn the meeting at 12:16 PM MDT. It was seconded by Ms. Henry. Motion carried.

Michael W Shepherd, Chair